

# Exhibit F

1 UNITED STATES DISTRICT COURT  
2  
3 EASTERN DISTRICT OF MICHIGAN  
4  
5 SOUTHERN DIVISION  
6  
7 IN RE: FLINT WATER CASES ) Civil Action No.:  
8 ) 5:16-cv-10444-JEL-MKM  
9 ) (consolidated)  
10 )  
11 ) Hon. Judith E. Levy  
12 )  
13 ) Mag. Mona K. Majzoub  
14  
15 HIGHLY CONFIDENTIAL  
16  
17 VIDEOTAPED DEPOSITION OF JENNIFER CROOKS  
18  
19 July 6, 2020  
20  
21 Volume 1  
22  
23 Remote oral videotaped deposition of JENNIFER  
24 CROOKS, conducted at the location of the witness in  
25 LaGrange Park, Illinois, commencing at approximately  
26 9:09 a.m. EST, on the above date, before JULIANA F.  
27 ZAJICEK, a Registered Professional Reporter, Certified  
28 Shorthand Reporter, Certified Realtime Reporter and  
29 Notary Public.

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40 Pitt McGehee Palmer Bonanni & Rivers.  
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43 THE VIDEOGRAPHER:  
44  
45 MR. JEFF SINDIONG  
46 Golkow Litigation Services.

1                   Do you -- do you have a general picture of  
2   the timeline?

3                   A.     Right. Yes, yes.

4                   Q.     So, I mean, does -- does it strike you as  
5   plausible that City officials were telling people not  
6   to drink, bathe or cook with the water?

7                   A.     That's a much better way to say it. No,  
8   it did not seem plausible.

9                   Q.     The next sentence: "Complainant states a  
10   water scientist advised him that dogs have died and  
11   have been buried in the City water."

12                  Does that strike you as a plausible fact?

13                  A.     No.

14                  Q.     So I -- I -- is -- is it fair to say that  
15   sometimes complaints came in where the complainant  
16   appeared to be confused about some basic facts?

17                  A.     Yes. Not necessarily just related to  
18   Flint, but in general citizen complaints aren't always  
19   accurate in what they are reporting.

20                  Q.     Okay. And so the -- the fact that EPA or  
21   MDEQ or for that matter the City of Flint receives a  
22   complaint, does -- isn't itself necessarily an ind- --  
23   indicator that there is an actual problem, correct?

24                  A.     And -- and that's -- correct. And that's

1 why we look into their complaints. We don't ignore  
2 them. We look into their complaints.

3 Q. Sure. And -- and I'll assume that the  
4 complainant was entirely sincere and believed that  
5 what they were reporting was true, but that doesn't  
6 make it true, fair?

7 A. Exactly.

8 (WHEREUPON, a certain document was  
9 marked Jennifer Crooks Deposition  
10 Exhibit No. 6, for identification, as  
11 of 07/06/2020.)

12 BY MR. KLEIN:

13 Q. I'm going to go to Exhibit 6, which is --  
14 well, the -- the top e-mail is an April 8, 2015 e-mail  
15 from Mike Prysby to yourself and Jennifer Crooks --  
16 no -- to yourself and Steve Busch --

17 A. Um-hum.

18 Q. -- Bates No. Oct-7-2019 EGLE0118460, and  
19 I'm going to scroll down to the bottom to -- it's  
20 another complaint letter.

21 The -- the very bottom e-mail is, if I'm  
22 following correctly, is from Mr. Busch to you,  
23 responding -- addressing a complaint of solvents or  
24 refrigerants being poured into the Flint River?

1 A. Right.

2 Q. The -- actually, let me scroll up a little  
3 bit.

4 Do you see at the top of the page Bates  
5 numbered 118460?

6 A. Yes.

7 Q. Indication that you received a letter of  
8 alert regarding refrigerant -- refrigerant and  
9 cleaning solve -- solvents found in the Flint River.  
10 "Three different programs in the Water Resources  
11 Division were contacted, and none were aware of any  
12 reports of dumping of these chemicals, nor of any  
13 monitoring being done on the Flint River for those  
14 chemicals."

15 Does that indicate to you that there was a  
16 complainant who had a concern that it turned out to be  
17 untrue?

18 A. A complainant, they asked if -- yes, they  
19 did raise the issue and, as I said, we researched and  
20 that was my -- those were my findings.

21 Q. Sure.

22 Now, you -- when you do get a complaint,  
23 you take it seriously, correct?

24 A. Oh, exactly.

1 Q. But -- but that doesn't necessarily mean  
2 that -- that every -- every complainant concern is, in  
3 fact, a cause for concern?

4 A. Right.

5 (WHEREUPON, a certain document was  
6 marked Jennifer Crooks Deposition  
7 Exhibit No. 7, for identification, as  
8 of 07/06/2020.)

9 BY MR. KLEIN:

10 Q. Okay. Now I'm going to turn to -- and I  
11 know at least portions of this were marked. I don't  
12 know if this exact document was marked. It is a  
13 2/26/2015 e-mail from Ms. Shekter Smith to a host of  
14 people, and -- and you are copied on it in there  
15 somewhere. It prints up in a way that makes it very  
16 difficult to find you, but let me find you to confirm.  
17 That -- well --

18 A. I don't think I'm on here.

19 Q. Right. Well, you -- you are -- you are  
20 further down. This is --

21 A. Oh, okay.

22 Q. -- Ms. Smith -- no, I got confused myself.  
23 Ms. Smith is forwarding an earlier e-mail  
24 from Mike Prysby --

1 things broke up.

2 A. Oh, yes.

3 I think he was an -- an -- I think he was  
4 a district engineer prior to his becoming a regulation  
5 expert and issues could arise. I mean, I -- I would  
6 contact district engineers and ask general questions  
7 periodically.

8 Q. Now, my understanding is that you would  
9 also get citizen complaints into the DEQ and you would  
10 also communicate those to Mr. Prysby.

11 Does that sound right?

12 A. Yes.

13 Q. And so that would be you forwarding a  
14 citizen complaint that came into the EPA and you'd  
15 forward it back to the DEQ or specifically Mr. Prysby,  
16 correct?

17 A. Correct.

18 Q. Do you recall him as having been  
19 responsive to you generally?

20 A. Yes, I do.

21 Q. Do you recall him contacting Flint Water  
22 Treatment Plant employees collecting information  
23 and -- and responding to you with that information?

24 A. Yes.

1

REPORTER'S CERTIFICATE

2

3 I, JULIANA F. ZAJICEK, a Registered  
4 Professional Reporter, Certified Realtime Reporter,  
5 Certified Shorthand Reporter and Notary Public, do  
6 hereby certify that prior to the commencement of the  
7 examination of the witness herein, the witness was  
8 duly remotely sworn by me to testify to the truth, the  
9 whole truth and nothing but the truth.

10

I DO FURTHER CERTIFY that the foregoing is  
11 a verbatim transcript of the testimony as taken  
12 stenographically by me at the time, place and on the  
13 date hereinbefore set forth, to the best of my  
14 availability.

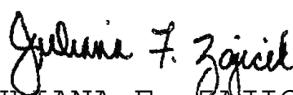
15

I DO FURTHER CERTIFY that I am neither a  
16 relative nor employee nor attorney nor counsel of any  
17 of the parties to this action, and that I am neither a  
18 relative nor employee of such attorney or counsel, and  
19 that I am not interested directly or indirectly in the  
20 outcome of this action.

21

IN WITNESS WHEREOF, I do hereunto set my  
22 hand on this 17th day of July, 2020.

23

  
24 JULIANA F. ZAJICEK, RPR, CSR, CRR

1 UNITED STATES DISTRICT COURT  
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3 EASTERN DISTRICT OF MICHIGAN  
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17 July 7, 2020  
18 Volume 2  
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20 Continued remote oral videotaped deposition of  
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22 witness in LaGrange Park, Illinois, commencing at  
23 approximately 9:01 a.m. CST, on the above date, before  
24 JULIANA F. ZAJICEK, a Registered Professional  
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28 THE VIDEOGRAPHER:  
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30 MR. JEFF SINDIONG,  
31 Golkow Litigation Services.  
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34

1 A. Correct.

2 Q. On October 23rd, 2014?

3 A. Correct.

4 Q. Okay.

5 Okay. Here is a paragraph beginning with  
6 "Secondly"?

7 A. Yes.

8 Q. That's not the one I want. Oh, here we  
9 go, here is the one I want. "The most likely cause of  
10 the brown water."

11 Do you see that?

12 A. Yes.

13 Q. Okay. So at this point in time, and this  
14 is -- you are dealing with Ms. -- in this case it is  
15 Ms. Burgess?

16 A. Burgess.

17 Q. That's another person, huh, that's not --  
18 and this is in October of 2014, and you are --

19 A. Correct.

20 Q. -- already dealing with complaints about  
21 brown -- brown water in October of 2014?

22 A. Yes.

23 Q. And -- and you say: "The most likely  
24 cause... (iron deposits and sediments from the very

1 old cast iron pipes that make up the distribution  
2 system in Flint), is incorrect use of fire hydrants by  
3 demolition contractors in the area..."

4 Where did you get that information?

5 A. I think -- well, hopefully above that I  
6 said that I contacted Mike Prysby at the State. That  
7 came from Mike Prysby.

8 Q. Okay. So Mike Prysby is -- you are  
9 contacting Mike Prysby about the complaints of the  
10 water, is that correct?

11 A. Yes.

12 Q. And -- and you and he are discussing --

13 A. That and discussing the iron deposits.

14 Q. And he is discussing the brown water and  
15 giving you possible reasons why it's that way, is that  
16 correct?

17 A. Yes.

18 Q. And he never brings up the issue it could  
19 be a lack of corrosion control or anything like that?

20 A. No.

21 Q. But he certainly knew at this point in  
22 time there was no corrosion control, didn't he?

23 A. I'm sure he did.

24 MR. COHEN: Objection; foundation, form.

1

REPORTER'S CERTIFICATE

2

3 I, JULIANA F. ZAJICEK, a Registered  
4 Professional Reporter, Certified Realtime Reporter,  
5 Certified Shorthand Reporter and Notary Public, do  
6 hereby certify that prior to the commencement of the  
7 examination of the witness herein, the witness was  
8 duly remotely sworn by me to testify to the truth, the  
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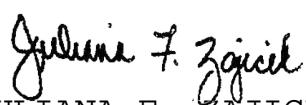
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I DO FURTHER CERTIFY that I am neither a  
16 relative nor employee nor attorney nor counsel of any  
17 of the parties to this action, and that I am neither a  
18 relative nor employee of such attorney or counsel, and  
19 that I am not interested directly or indirectly in the  
20 outcome of this action.

21

IN WITNESS WHEREOF, I do hereunto set my  
22 hand on this 22nd day of July, 2020.

23

  
24 JULIANA F. ZAJICEK, RPR, CSR, CRR